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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

THE PEOPLE,

Plaintiff and Respondent,

v.

JEROD KEIHT NIELSEN,

Defendant and Appellant.

E065982

(Super.Ct.No. INF1600198)

OPINION

APPEAL from the Superior Court of Riverside County. James S. Hawkins, Judge.

Affirmed.

Patricia Ihara, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Jerod Keiht Nielsen was charged by amended felony complaint with six counts of residential burglary (Pen. Code, § 459, counts 1-6), possession of a controlled substance—heroin (Health & Saf. Code, § 11350, subd. (a),

count 7), and possession of a controlled substance—methamphetamine (Health & Saf. Code, § 11377, count 8). It was also alleged that defendant had one prior strike conviction (Pen. Code, §§ 1170.12, subd. (c)(1), 667, subds. (c) & (e)(1)) and one prior serious felony conviction (Pen. Code, § 667, subd. (a)). Pursuant to a plea agreement, defendant pled guilty to counts 1 to 3 and admitted the prior strike conviction. A trial court found that there was a factual basis for the plea. The court dismissed the remaining counts and allegations, on motion by the People. In accordance with the plea agreement, the court sentenced defendant to 12 years in state prison, and awarded 112 days of custody credits.

Defendant filed a timely notice of appeal based on the sentence or other matters occurring after the plea. We affirm.

### PROCEDURAL BACKGROUND

Defendant was charged with, and pled guilty to, willfully and unlawfully entering the inhabited dwelling houses located in Rancho Mirage, California, with the intent to commit theft, during the time period between January 2016 and February 2016. (Pen. Code, § 459, counts 1-3.) He also admitted the allegation that he had one prior strike conviction. (Pen. Code, §§ 1170.12, subd. (c)(1), 667, subds. (c) & (e)(1).)

### DISCUSSION

Defendant appealed and, upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth a statement of

the case and a few potential arguable issues: (1) whether defendant's waiver of his right to appeal in his plea agreement was valid; (2) whether his guilty plea was constitutionally valid; (3) whether there was a sufficient factual basis for the plea; and (4) whether his custody credits were calculated correctly. Counsel has also requested this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, which he has not done.

Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have conducted an independent review of the record and find no arguable issues.

#### DISPOSITION

The judgment is affirmed.

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HOLLENHORST  
J.

We concur:

RAMIREZ  
P. J.

CODRINGTON  
J.